GERMANY ASKED TO PAY FOR SINKING OF FRYE

American Note Confined Principally to Recital of Legal Aspects of Case.

INSTRUCTIONS SENT TO GERARD

Claim for \$228,059.54, With Interest From January 28, 1915, Presented for Damages Growing Out of Vessel's Destruction by Raider.

WASHINGTON, April 5 .- The American note to Germany on the sinking of the American sailing ship William P. Frye by the German auxiliary cruiser Prinz Eitel Friedrich, was made public here to-day. It is confined principally to a recital of the legal aspects of the sinking of the Frye, and, in polite and diplomatic language, suggests that Germany make "reparation."

This is the text of the instructions to Ambassador Gerard:

"You are instructed to present the following note to the German Foreign

Under instructions from my gov ernment, I have the honor to present a claim for \$228,059.51, with interest from January 28, 1915, against the German government on behalf of the owners and captain of the American sailing vessel William P. Frye, for such a claim would be for her to and cargoes, according to the merits of damages sustained by them on account abandon and set at naught the princithe destruction of that vessel on the high seas by the German armored cruiser Prinz Eitel Friedrich on Jan-

FACTS SET FORTH

ages, are briefly as follows:

The William P. Frye, a steel sail-November 4, 1914, under charter to for Queenstown, Falmouth or Plymouth for orders, with a cargo consisting solely of 186,950 bushels of wheat, owned by the aforesaid Houser, and consigned "unto order or to its assigns," all of which appears from the penalties. ship's papers, which were taken from the vessel at the time of her destruction by the commander of the German cruiser.

"'On January 27, 1915, the Prinz Eitel Friedrich encountered the Frye on the high seas; compelled her to seas, beyond the right of visit and stop and sent on board an armed boarding party, which took possession. After an examination of the ship's papers, the commander of the cruiser directed that the cargo be thrown overboard, but subsequently decided to destroy the vessel, and on the following morning, by his order, the Frye was sunk.

ITEMS ENUMERATED ON WHICH CLAIM IS BASED

"The claim of the owners and cap-tain consists of the following items: "'Value of ship, equipment and out-

Traveling and other expenses of Captain Kiehne and Arthur Sewall &

RIGHTS REPRESENT BEST

USAGE OF WARFARE

"His Majesty's government, like the government of the United States, have often held that these rights represent the best usage of warfare in the dealings of helligerents with neutrals at commence of the line of the United States interprets the language of the note of His Majesy's Prince o

WHAT WARRING NATIONS CLAIM IN THEIR OFFICIAL STATEMENTS

French.

PARIS, April 5 (via London). The French official statement to-

"The bombardment by British aviators in Belgium March 26 resulted in small damage to the dirigible hangar at Berghen-St. Agathe and a dirigible airship sheltered therein. At Hoboken the Antwerp naval construction shipyards were gutted, two German submarines were destroyed and a third damaged, while forty German workmen were killed and sixty-two wounded.

"There is nothing to add otherwise to the report given out last

German.

BERLIN, April 5 (by wireless) .-The War Office announcement today follows:

"The Belgians attempted to concentrate re-enforcements in the direction of Drei Grachtr, which, with the exception of some houses on the northern side, has been in our hands since April 3. The Belgian troops were repulsed by our artil

"French attempts to advance in the Argonne also were prevented. A strong attack against our position west of Boureuilles broke French infantry charges west of Pont-a-Mousson were un successful. The Germans gained some ground in the forest of Le Pretre.

"A Russian attack on Mariampol (northeast of Suwalki) was repulsed with heavy losses for the enemy. Otherwise there were no events of importance in the east."

VIENNA, April 5 (via London).--The following official statement was given out to-day at the War Office

"Violent fighting continues in the Laboreza Valley and the neighboring region.

"On the other fronts some artillery engagements have taken place, but generally it is calm. Near Dsejebusznie, east of Zaleszitrow, a strong hostile force, which attempted to cross Dniester River. was repulsed after many hours of fighting. We captured 1,400 men.

ples for which she has consistently and earnestly contended in other times and circumstances. "The note of His Majesty's principal Majesty's government to the fleet and Secretary of State for Foreign Affairs, to the customs officials and executive

arises, and by reason of which the notifies the government of the United German government is held responsi- States of the establishment of a clude all the coasts and ports of Germany and every port of possible ac- a blockade to prevent vessels age, owned by American citizens, and novel and quite unprecedented feature sailed under the United States flag and of that blockade, if we are to assume register, cleared from Scattle, Wash., it to be properly so defined, is that it November 4, 1914, under charter to embraces many neutral ports and M. H. Houser, of Portland, Ore., bound coasts, bars access to them, and subjects all neutral ships seeking to approach them to the same suspicion that would attach to them were they

DISTINCT INVASION

risks and liabilities placed upon the ships of a neutral power on the high search, and the right to prevent the shipment of contraband already re-ferred to, are a distinct invasion of the sovereign rights of the nation whose ships, trade, or commerce, is interfered preceeding from ports within with. ships, trade, or commerce, is interfered

with. The government of the United States ASSUMES OBSERVANCE is, of course, not oblivious to the great changes which have occurred in the conditions and means of naval warfare since the rules hitherto governing legal blockade were formulated. It might be ready to admit that the old form of vlose' blockade, with its cyrdon of ships in the immediate offing of the blockaded ports is no longer practicable in face of all enemy possessing the means and on "'Value of ship, equipment and outnt. \$150,060.

"'Actual freight, as per freight list,
5034,1000-224 tons at 32-6-8180-19-6 at
\$4 ne nemy possessing the means and opportunity to make an effective defensive
by the use of submarines, mines, and
afreraft: but it can hardly be mainstage. tained that, whatever form of effective blockade may be made use of, it is im-possible to conform at least to the spirit "Tersponal effects of Capitain H. II.

William p. Frys by the German soveriment for the destruction of be made by the German soveriment for the destruction of the holidary from the territory. The destruction of the control of the Main personal control of the M Co. agents of ship, in connection with and principles of the established rules making affidavits, preparing and filing of war. If the necessities of the case

notes that in the order in council, His principle of universal equality of sovereignity on the high seas as between belligerents and nations not engaged in war.

"It is confidently assumed that His Majesty's government will not deny that it is a rule sanctioned by general practice that, even though a blockade dexist, and the detrine of contraband as io unblockaded territory being the United States through neutral countries to belligerent tendence that the sample of the States through neutral countries to belligerent territory with out being subject to the penalties of contraband traffic or branch of Blockade, much less to detention, requisition of Paris of 1856—among them that free subject of the Declaration of Paris of 1856—among them that free subject of the traffic or braceh of blockade, much less to detention, requisition of Paris of 1856—among them that free ships make free goods—will hardly at this day be disputed by the signatories of that solemn agreement, Hight's REPHENNI BISST.

INCHAETE INTERSECT. signatories of that solemn agreement.

RIGHTS REPRESENT BEST. would wish the same taint to attach to

ings of belilgerents with neutrals at guage of the note of His Majesy's Principal Secretary of State for Foreign Affairs, which accompanies the copy of the order to council which was handed the case of Peterhof, which arose out of the Civil War, and to the fact that that opinion was unanimously sus-

the case of Peterhof, which arose out of the Christ War, and to the fact that that opinion was unanimously sustained in the award of the Arbitration Commission of 1871, to which the case was presented at the request of Great Britain from the present of the Dechration of London of 1969, adopted with modifications by the order in council the 23rd of October inst, these rights have not been seriously questioned by the British government, and the fact full provision is many justification for interfering with these clear rights of the United States and mitted.

To admit it would be to assume an attitude of unneutrality toward the present enemies of Great Britain, which would be obviously inconsistent with the solemn obligations of this government in the present circumstices; and for Great Britain to make

This government further notes with equal satisfaction the declaration of the British government that "the instructions to be issued by His "The facts upon which this claim cil, and which bears the same date, upon them the duty of acting with the the German cruiser. Rumors were cur ble by the government of the United blockade which is, if defined by the object in view, and of showing in every case such consideration for neutrals as may be compatible with that object, which is, succinctly stated, to establish ing vessel of 3,374 tons, gross dam- coss to enemy territory. But the carrying goods for or coming from Ger-

In view of these assurances formally given to this government, it is confidently expected that the extensive powers conferred by the order in council on the executive officers of the crown will be restricted by "orders issued by the government" directing the exercise of that would attach to them were they bound for the ports of the enemies of Great Britain and to unusual risks and penalties.

DISTINCT INVASION

their discreting the exercise of their discretionary powers in such a manner as to modify in practical application those provisions of the order in council which, if strictly enforced, would violate neutral rights and interpretationary powers in such a manner as to modify in practical application. OF SOVEREIGN RIGHTS

"It is manifest that such limitations, isks and liabilities placed upon the granted that the approach of American merchantmen to neutral ports situated upon the long line of coast affected by the order in council will not be inter-fered with when it is within the

"The government of the United States assumes with the greatest confidence that His Majesty's government will thus adjust their practice to the rec ognized rules of international law, be-cause it is manifest that the British government have adopted an extraor-dinary method of "stopping cargoes to restrict to the limits which have been heretofore required by the law of nations. Though the area of operations is confined to 'European water, including the Mediterranean,' so great an area of the high seas is covered and the cordon of ships is so distant from the territory of sets of the seas is covered.

"As stated in its communication of October 22, 1914, 'this government will insist that the rights and duties of the United States and its citizens in the present war be defined by the existing rules of international law and the treaties of the United States, irrespective of the provisions of the Declaration of London, and that this government reserves to itself the right to enter a protest or demand in each case in which those rights and duties so defined are violated or their free exercise interferred with by the authorities of the British government."

"In conclusion, you will reiterate to

munication which I have received by telegraph from the Secretary of State. I am instructed at the same time to re-peat to His Majesty's government the earnest assurance that this statement of the views of the government of the United States is made in the most friendly spirit, and in accordance with the uniform candor by which the relations of the two governments have in the past been characterized, and which in large measure is due the peace and amity existing without interruption for a century between the two nations.
(Signed) "WALTER HINES PAGE."

CLIMAX IS NEAR AT HAND IN CASE OF PRINZ EITEL

(Continued from First Page.) Comfort, and scores were still ashore

Late to-night it was revealed that the customs authorities had cleared British merchant ships from Norfolk the report that Djavid Pasha, Turkish and Newport News during the day, but Minister of Finance, who now is in had been held up. The only possible finds credence here. cause for this action was because of he situation relating to the Prinz Eitel German commander to leave port could not be ascertained. At 11 o'clock tonight the Eitel Friedrich was aglow with lights in nearly all her cabins.

At 1 o'clock this morning the Eitel still was at her pier, with all lights Paturent. After giving her identity, the press boat was ordered to keep farther out. There was no visible sign of immediate movement on the part of the German crutser. Runners were cur-IN AMERICAN NOTE which accompanies the order in counutmost dispatch consistent with the rent that the Prinz Eitel Friedrich would be moved to Portsmouth for internment, but these reports could not

TOLL OF ABOUT 100 LIVES

(Continued from First Page.) saw," said Captain Ayvery. "We were bound from Gulfport to New York with a cargo of railroad ties and anchored off Bodie's Island on Friday evening. The high seas washed over our decks and soon had the vessel waterlogged, and while we suffered from the extreme cold and the wind, we were never in danger of sinking because the tles kept the schooner affoat.

WIRELESS REPORTS SHIP

SANK ON SATURDAY CHARLESTON, S. C., April 5 .- A wireless message stating that the Royal Dutch West Indies Line steamer Prins Maurits sank Saturday after noon, was picked up yesterday by the United States navy supply ship Arethus, which was searching for the Prins Maurits, according to a statement by Captain Kennedy after the naval ship arrived here to-day. The message, he said, apparently was sent by the Frying Pan Shoals Lightship. Captain Kennedy asserted his ship found no trace of the Prins Maurits at the location given in the wireless calls for assistance which were sent out by the steamer on Saturday.

SHIPS BREAKS TO PIECES

AND THREE LIVES ARE LOST
NORFOLK, VA., April 5.—Over the
government seacoast wires to-night
came news of the loss of three lives
from the schooner Josephine, which
was broken to pieces on the coast of
North Carolina, near Kill Devil Hill
coast guard station during the test

Colored Murderer Caught.

[Special to The Times-Dispatch.] COVINGTON, VA., April 5.—William Stuart, colored, who shot and killed Po-liceman Shires at Ronceverte, Va., last night, was arrested here early this morning by officers and taken to Ronceverte. Stnart was bootlegging whisky, and when Shires attempted to arrest him, he shot the officer three times. He boarded a freight, and was found here this morning by Officer found here this morning by Officer Crickenberger, who had been notified to be on the lookout for him.

by the following letter: "Sir,—Pursuant to instructions from my government I have the honor to transmit to you the inclosed communication which I have a property of the included communication which I have property to the included communication which I have provided to the included communication which I have been supported to the included communication which I have been supported to the included communication which I have been supported to the included communication which I have the included communica HALF OF RESERVE ARMY REPORTED UNDER WAY

Austria and Turkey Said to Be Taking Steps Without Consulting Germany.

STORY IS CREDITED IN ROME

Djavid Pasha, Turkish Minister of

ROME, April 4 (via Paris, April 5) .-in spite of various official denials from ary steps have been taken to conclude peace, especially by Austria and former Representative Hobson, of Alabama, to attend the dinner.

One of Representative Gardner's obpeace, especially by Austria and Turkey without consulting Germany, the report that Djavid Pasha, Turkish Minister of Finance, who now is in Switzerland, is on a peace mission that actually departure of these vessels Switzerland, is on a peace mission It is pointed out that Djavid Pasha

Friedrich. While members of the German ship's crew were on shore until a to undertake at Ouchy, Switzerland, tional capital, should be ever be called methods through neutral diplomats.
While he has denied emphatically that he is at present engaged in a similar be recorded in the visitors' book, for the autographs of the members will be recorded in the visitors' book, for the edification of the scribes and the he is at present engaged in a similar be recorded in the visitors' book, for mission, it is considered here that this the edification of the scribes and the denial should not be taken too seri-ously, because he scarcely could admit adequate defense. An informal recep-at this time that his government seeks tion will be held and the question may out. A press boat which went up the at this time that his government seeks tion will river was halled by the naval tug a cessation of hostilities. Similar de-

GERMANS DESTROY ITALIAN STEAMER

(Continued from First Page.) entrance to the Dardanclles.

"An article appearing in the Tanin, of Constantinople, expresses the idea that, insomuch as the English will not be able to reach Constantinople before the Russians get there, the former intend to occupy the islands at the entrance to the Dardanelles, posttions from which it would be possible to checkmate Russia in the future."

Lord Nelson, stranded inside the Dardanelles Strait, has been destroyed by

the attempts to force the Dardanelles on account of the insufficient strength n account of the insufficient strength
f the landing expedition.

The Lord Nelson was 410 feet long.

The Lord Nelson was 410 feet long. of the landing expedition.

displaced 16,500 tons, and was built in 1906. She was armed with four welve-inch guns, ten 9.2-inch and

which TURKS REPORT SINKING

yesterday sank two Rus- porter, and Stephen Bovorisky, cook,

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of the entire reserve army of the United

States will dine with Representative A. have positively accepted the Massachusett Representative's invitation, and a ninth may accept later. Representative Gardner sent out invitations several javid Pasha, Turkish Minister of Finance, Who Now Is in Switzerland, Believed to Be on Peace Mission, Though He Makes Denial.

in spring training time. In addition to half the army, Representative Gardner has invited Secretary Garrison and Assistant Secretary the belligerent nations that prelimin- Breckinridge, of the War Department

Capitol as it now stands.

Strategic points will be noted by the soldiers on their drive, so that the re-

that ships crew were on shore difficulty to be determined to be the conclusion of an Italo-Turkish on board by midnight. Whether there was any intention on the part of the German commander to leave port could determine the conducted his pre-liminary negotiations by roundabout their commander.

The members of the army who are certain to be present are: Charles Neu-kert, 146 West 104th Street, New York: Continued from First Page.)

TAKEN BY GREAT STORM

Continued from First Page.)

Continued from First Page.) 1466 Seventieth Street: Hugo L. Anderson, 137 Oakland Street; Morris Borkin, 434 Sockman Street, and Issea Sohn, 123

Bay Fourteenth Street.
The invaders will evacuate the capital on the midnight train for the North.

ROBBERS, SURPRISED. KILL THREE IN CELLAR

NEW YORK, April 5 .- Otto Zinn, a restaurant keeper, and two of his em-ployees, a porter and a cook, were killed early to-day in Zinn's restaurant, RITISH BATTLESHIP
REPORTED DESTROYED

Supposedly by burglars. Zinn and his supposedly by burglars. Zinn and his supposedly by burglars. Zinn and his you are to be noted as "among wife, who slept over the restaurant, but a supposed by a crash downstairs, those present," these are neces-An Overseas Agency dispatch from Athens says the British battleship vestigate. When he failed to return his wife called a policeman, who found danciles Strait, has been destroyed by ployees in the cellars

Turkish shore guns.

A war council held by the British and French admirals, the Athens dispatch continues, decided to postpone the attempts in the cellars was found also a safe which had been moved from a place on the floor above, and evidently the attempts in the cellars.

There was evidence that the men who thirteen three-inch guns, and carried a complement of 865 men.

TURKS REPORT SINKING

OF TWO RUSSIAN SHIPS

BERLIN, April 5 (by wireless via London).—A dispatch from Constantinople says the following statement has been issued by the Turkish War thirteen three-inch guns, and carried meal in the restaurant. At first they

The two employees were Bonan Held.

N. Y. PLUTOCRATS "PIKERS"

enemy mine sweeper which attempted to approach the entrance to the Dardanelles."

[Special to The Times-Dispatch.] PHILADELPHIA, PA., April 5.—
The Palace of Nero had three elevators," said Professor Camden M. Co-Neither the Provident nor Vastoch-naja is mentioned in Matest shipping cal study in Palestine.

"In 6 A. D., a tax was levied on incomes over \$4,000; thousands were liable. One Roman high-filer spent \$90,000,600 in one year. Why, New York plutocrats are pikers compared

OF RESERVE ARMY TWO VESSELS SENT DOWN BY GERMAN SUBMARINE WASHINGTON, April 5. - One-half and perhaps a slightly larger proportion

P. Gardner, of Massachusetts, in the New Willard Hotel Saturday. The army musters sixteen men, and of these eight sian Bark Hermes Sank Off Isle of Wight.

MEMBERS OF CREWS SAVED

All of Them Take to Boats, and Late: Are Picked Up by British Torpedo Boat Destroyer-Sunday Afternoon Disaster.

LONDON, April 5 .- The Glasgow teamer Olivine and the Russian bari Hermes were sunk by a German sub marine on Sunday afternoon off the Isle of Wight. The crews took to the boats, and were rescued by a Britte

The loss of the Russian bark referred to in the above dispatch was reported esterday, but her name was unknown Fifteen members of the bark's crev got ashore safely. The Hermes was a three-masted bark of 973 tons. Current maritime records do no contain any reference to a steamer

AMONG THE SPEEDERS

named Olivine.

Driver of Jitney Bus Is Fined \$100 and Costs-Notes Appenl.

J. L. Lyle, chauffeur of the jitney bus which struck a man near Lee Monument Sunday night, and who was arrested by Policeman L. N. Clarke a charge of speeding, was fined \$100 and costs in the Police Court yester-The man noted an appeal. some of the civilians. The commissary has been replenished for the "mess," and the routine menu of camp life will not be followed.

The manhars of the civilians and also by Percy Forbes, 403 East Grace Street, was fined \$100 and costs also. He was arrested by Policeman Samuels on a charge of speeding his carried by the complete of the commission of the commission of the commission of the civilians. The commission of the civilians and also by the commission of the civilians. The commission of the civilians are commission of the civilians and the commission of the civilians and the commission of the civilians are commission of the civilians and the commission of the civilians are civilians are commission of the civilians are civilians are



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